

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

FRANK NALI,

Plaintiff,

File No: 2:07-cv-87

v.

HON. ROBERT HOLMES BELL

J. EKMAN, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER ADOPTING
MAGISTRATE’S REPORT AND RECOMMENDATION**

Before the Court is Plaintiff Frank Nali’s Objection, (Dkt. No. 55), to Magistrate Judge Greeley’s January 31, 2011, Report and Recommendation (“R&R”). (Dkt. No. 54.) In the R&R, the Magistrate Judge recommends that Defendants’ motions for summary judgment, (Dkt. Nos. 34, 36, and 49), be granted and that this case be dismissed.

The Court is required to review *de novo* those portions of the R&R to which specific objections are made. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). The Court may accept, reject, or modify any or all of the Magistrate Judge’s findings or recommendations. *Id.* However, “a general objection to a magistrate’s report . . . does not satisfy the requirement that an objection be filed. The objections must be clear enough to enable the district court to discern those issues that are dispositive and contentious.” *Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995). “A general objection to the entirety of the magistrate’s report has the same effects as would a failure to object.” *Howard v. Sec’y of Health & Human Servs.*, 932

F.2d 505, 509 (6th Cir. 1991). Parties are also advised that “personal aspersions, whether they be cast at opposing counsel or members of the judiciary, have no place in argument before [the Court] unless they are strictly pertinent to a legal issue.” *Id.* at 509 n.2.

Here, Plaintiff begins his Objections with a rough summary of the Magistrate Judge’s findings and recommendations. (Objections 1-2.) The summary appears to be roughly accurate in substance, and the Court cannot locate any objections in this material.

Plaintiff’s only objection in this case is a general one: “Plaintiff objects to each and every conclusion and each and every factual findings [sic] by the magistrate because they were irrational, irresponsible, and biased.” (Objections 2.) Although irrationality, dereliction of judicial responsibility, and bias would indeed be pertinent, Plaintiff has not offered any, and the Court cannot locate any, evidence of these failings in the R&R. To the extent that these are the bases of Plaintiff’s objection, the objection will be overruled. To the extent that Plaintiff is objecting to the entirety of the R&R on its merits, this is a general objection which does not satisfy the requirement that specific objections be filed. *See Miller*, 50 F.3d at 380. The Court has reviewed the R&R in its entirety and concludes that the R&R correctly analyzes the issues and makes a sound recommendation. Accordingly,

IT IS HEREBY ORDERED that Plaintiff’s objection (Dkt. No. 55) is **OVERRULED**.

IT IS FURTHER ORDERED that the Magistrate Judge’s January 31, 2011, R&R (Dkt. No. 54) is **APPROVED and ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Defendants' Motions for Dismissal and/or Summary Judgment (Dkt. Nos. 34, 46, and 49) are **GRANTED**.

IT IS FURTHER ORDERED that this case is **DISMISSED**.

IT IS FURTHER CERTIFIED pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this action would not be in good faith.

Dated: February 14, 2011

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE